

FILED

2008 JUL 30 PM 2:06

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Isaac Eugenio ALTAMIRANO

Defendant,

BY *g*

Mag. Case Number: 08 MJ 2339

COMPLAINT FOR VIOLATION OF

Title 21, U.S.C., Sections 952 and 960
Importation of a Controlled Substance

The undersigned complaint being duly sworn states:

On or about July 29, 2008, within the Southern District of California, Isaac Eugenio ALTAMIRANO did knowingly and intentionally import approximately 27.4 kilograms of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SPECIAL AGENT
U.S. IMMIGRATION AND CUSTOMS
ENFORCEMENT

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 30th DAY OF JULY, 2008.


Hon. Jan M. Adler
UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

I, Special Agent Andrew Flood, declare under penalty of perjury, the following is true and correct:

On July 29, 2008, at approximately 10:35 p.m., defendant Isaac Eugenio ALTAMIRANO, a United States citizen, applied for admission into the United States from Mexico through the San Ysidro, California, Port of Entry in vehicle lane #5. ALTAMIRANO was the driver and sole occupant of a 1992 BMW 325i bearing California license plates 6AZR447.

A Narcotic Detection Dog alerted to the presence of a narcotic odor coming from the rear passenger door area of the vehicle driven by ALTAMIRANO.

Customs and Border Protection Officer (CBPO) Jose Rocha made contact with ALTAMIRANO. ALTAMIRANO gave CBPO Rocha a negative Customs declaration. ALTAMIRANO stated that his father is the owner of the vehicle. ALTAMIRANO handed CBPO Rocha a California Driver's License and a Secure Electronic Network for Travelers Rapid Inspection (SENTRI) card. ALTAMIRANO'S hand was visibly shaking as he handed CBPO Rocha the cards. CBPO Rocha conducted a cursory search of the area of the canine alert. CBPO Rocha lifted the rear bench seat of the vehicle and discovered packages wrapped in brown packaging tape.

CBPO Castro responded and asked ALTAMIRANO if he was bringing anything from Mexico and ALTAMIRANO motioned with his head towards the backseat of the vehicle where CBPO Rocha had discovered the packages. CBPO Castro handcuffed ALTAMIRANO and escorted him to the security office.

CBPO Richardson conducted the 7-point inspection of the 1992 BMW 325i driven by ALTAMIRANO. CBPO Richardson pressed down on the rear seat and felt hard lumpy objects under it. CBPO Richardson lifted the rear seat and observed several packages wrapped in brown packaging tape. CBPO Richardson selected a random package found in the vehicle and probed its contents extracting a green leafy substance which field tested positive for marijuana. CBPO Richardson found additional packages behind the rear seat and in the spare tire. The spare tire already had an access cut on the bottom of the tire as it lay in the tire well. A total of 23 packages were removed with an approximate weight of 27.4 kilograms. All of the packages were numbered 1 thru 23 and had a weight in kilograms already marked on each package.

On July 30, 2008, at approximately 12:53 a.m., Immigration and Customs Enforcement (ICE) Special Agent Andrew Flood advised ALTAMIRANO of his rights per Miranda, which he waived. The advisement of rights and the interview were conducted in the English language. ICE Special Agent Jeffrey Roberts witnessed this advisement of rights and the interview.

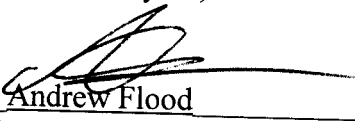
**CONTINUATION OF PROBABLE CAUSE STATEMENT
RE: Isaac Eugenio ALTAMIRANO**

ALTAMIRANO stated that he knew drugs were hidden in the backseat area of his vehicle. ALTAMIRANO claimed that he was to cross the drugs from Mexico into the United States and deliver the drugs to the area of the Walmart in National City, CA.

ALTAMIRANO was in possession of \$5112.00, which he stated belonged to the owner of the drugs. ALTAMIRANO stated that the vehicle is registered in his father's name, but that ALTAMIRANO is the main driver of the vehicle.


Isaac Eugenio ALTAMIRANO was arrested and charged with violation of Title 21 United States Codes 952 & 960, Importation of a Controlled Substance. ALTAMIRANO was booked into the Metropolitan Correctional Center, San Diego, CA.

Executed on July 30, 2008

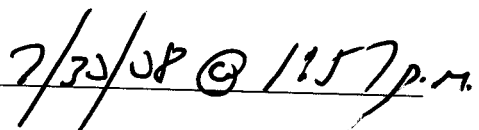


Andrew Flood
Special Agent,
U.S. ICE

On the basis of the facts presented in the probable cause statement consisting of 2 pages, I find probable cause to believe that the defendant named in this probable cause statement committed the offense on July 29, 2008, in violation of Title 21, United States Code, Section(s) 952 & 960.



Hon. Jan M. Adler
United States Magistrate Judge



Date/Time